

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	
vs.	:	Case No. 2:23-CR-00014
	:	
NALAH T. JACKSON	:	JUDGE WATSON
Defendant.	:	

**UNOPPOSED MOTION TO CONTINUE TRIAL AND MOTION
DEADLINES**

COMES NOW, defense counsel for Nalah T. Jackson, pursuant to 18 U.S.C. § 3161(h)(7)(A) and B(IV) and moves this Court to continue trial currently scheduled for March 20, 2023, for at least 180 days. Specifically, the parties seek a trial date of September 4, 2023, or October 9, 2023. Additionally, defense moves to extend all other dates and deadlines listed in the scheduling Order for a length of time consistent with the new trial date. The grounds for this motion are set forth in the attached Memorandum. Undersigned counsel submits that the requested extension would serve the interests of justice and that the time would be excludable pursuant to 18 U.S.C. §3161(h)(7)(A) and (B)(IV). Assistant United States Attorneys Emily Czeriejewski and Noah Litton do not oppose the requested continuance.

Respectfully submitted,

DEBORAH L. WILLIAMS
FEDERAL PUBLIC DEFENDER

/s/ Stacey MacDonald
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Attorney for Defendant
Nalah T. Jackson

MEMORANDUM IN SUPPORT OF MOTION

On January 19, 2023, the Grand Jury returned an Indictment against Ms. Jackson charging her with two counts of Kidnapping of a Minor pursuant to 18 U.S.C. § 1201(a)(1)&(g). Ms. Jackson entered a plea of not guilty on January 27, 2023, and the case was set for trial on March 20, 2023. This is a first trial set. No previous motions to continue have been filed.

Defense has received extensive discovery in this case on January 31, 2023, and on February 22, 2023. Additional discovery may be forthcoming and sought by the defense. This discovery includes police reports, numerous surveillance videos, jail calls and criminal history documents. Discovery spans from Ohio to Indiana. Defense needs time to review the discovery with Ms. Jackson, determine what supplemental discovery is needed and conduct a defense investigation into the factual allegations, including any potential motions to suppress and other pretrial motions.

Additionally, Ms. Jackson's mental health plays a significant factor in the

defense of this case. Defense has been seeking records from over a dozen locations in multiple states that will shed light on Ms. Jackson's mental health history and her mental state at the time of this offense. Defense has received over 2,106 documents to date and still has document requests outstanding. Defense intends to identify and retain experts to evaluate Ms. Jackson. A complete mental health evaluation is essential to develop mitigation and any possible mental health defenses in this case. The mental evaluation cannot be completed until of necessary records are gathered. Defense has been working at identifying an expert with specialization post-partum depression and post-partum psychosis, which counsel believes may be a part of Ms. Jackson's mental health diagnoses.

Ultimately these reports or investigation will be provided to the government in an attempt to resolve this case and/or for trial. It is anticipated that the government would need time to review and evaluate any discovery provided by the defense as well. Given the work that needs to be completed in this case to provide Ms. Jackson effective assistance of counsel as guaranteed by the Sixth Amendment of the United States Constitution; a continuance of 180 days or more is necessary.

Defense counsel has spoken with Ms. Jackson about her right to a speedy trial; the remaining investigations and evaluations to be completed in this case; and the need to continue the trial to a date in September or October of 2023. Ms. Jackson agrees with this motion to continue the trial and waives her right to a speedy trial.

The parties have compared trial calendars and are requesting a trial on September 4, 2023, or October 9, 2023, if possible. Counsel submits that the ends of

justice served by granting the continuance outweigh the interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(7)(A). The failure to grant the requested continuance would deny counsel for the defendant reasonable time necessary for effective preparation taking into account the exercise of due diligence. 18 U.S.C. § 3161 (h)(7)(B)(iv). AUSAs Emily Czerniejewski and Noah Litton do not oppose the requested continuance.

WHEREFORE, for the reasons set forth above, Defense Counsel for Ms. Jackson respectfully requests this Court grant this motion to continue the trial and associated deadlines.

Respectfully submitted,

DEBORAH L. WILLIAMS
FEDERAL PUBLIC DEFENDER

/s/ Stacey MacDonald
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Attorney for Defendant
Nalah T. Jackson

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Stacey MacDonald
Stacey MacDonald (WA 35394)
Assistant Federal Public Defender